

August 22, 2013

Letter of Appeal
Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

Re: CC Docket No. 02-6
Appeal of USAC Administrator's Decision on Appeal Denial

Vital Information

Contact Name: Patrick Doyle or Susan Melancon
Address: 355 Harlem Rd.
West Seneca, NY 14224
Telephone number: (716) 821-7051 / 821-7455
Fax number: (716) 821-7394
E-mail address: pdoyle@e1b.org
Applicant Name: Erie 1 BOCES
Billed entity number: 149384
471 application number: 825021
FRN 2323358

Explanation of Appeal

We are writing to appeal the denial of a request to correct a 471 funding commitment.

An appeal was sent in for FRN 2323358 on 7/29/2013 via the SLD online system and was assigned case # 22-522310. We received a denial letter from the SLD dated 8/9/2013 stating the reason as "The rules of this support mechanism do not allow for an increase of a funding request subsequent to the Form 471 being committed for funding unless there was an error on the part of USAC". In our appeal to USAC we indicated that this was a ministerial/clerical error in the funding request for this application.

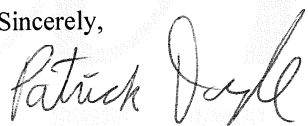
Verizon is the service provider for FRN 2323358. We used the bill from January 19, 2012 in the amount of \$82.06 as the basis of our Form 471 submittal. During the RAL process the amount matched what we submitted so no problems were detected. Subsequent to our FCDL being issued, it was discovered the Verizon had been erroneously billing us the incorrect amount on our bill starting with the December 2011. The correct billing amount is closer to the November 19, 2011 bill of \$757.31 per month. The billing has since been corrected by Verizon but this information was not given to our e-rate staff until after the FCDL had been issued.

I have attached copies of the appeal letter to USAC, the USAC appeal denial letter, and a copy of the November 19, 2011 Verizon billing.

Based on this information we ask that a revised FCDL be issued for this FRN in the amount of \$757.31 per month so that the School District can receive the proper needed funding for this service. We believe this was a ministerial and clerical error that the difference in the bill was not reported to the E-rate staff and corrected during the RAL period.

Thank you for your consideration in this matter.

Sincerely,



Patrick Doyle
Computer Support Technician, E-Rate Services

July 29, 2013

Schools and Libraries Program Correspondence Unit
Letter of Appeal
30 Lanidex Plaza West
PO Box 685
Parsippany, NJ 07054-0685

To Whom It May Concern:

Ministerial and clerical error correction needed. We are writing to appeal a funding commitment for (1) FRN on FCC Form 471 825021, Funding Year 2012.

Vital Information

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Address:	355 Harlem Rd., West Seneca, NY 14224
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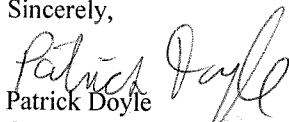
Explanation of Appeal

We are writing to appeal the funding commitment by the Schools and Libraries Division (SLD) of the Universal Service Administration Co. for the above referenced FRN. The FRN was submitted online with a monthly cost \$82.06 for a total annual Pre-Discount cost of \$984.72. The FRN was approved as submitted on 7/25/13. We have just discovered upon receiving the FCDL that a clerical was made in the submission of this FRN and the monthly amount submitted was incorrect. We meant to input a monthly amount of \$757.31 using the bill from November 19, 2011 as backup documentation we had at the time of filing. Per the Naperville order, we feel this falls under the ministerial and clerical error and should be corrected accordingly. I have attached the November 19, 2011 bill for backup.

Based on this information we ask that this ministerial and clerical error be corrected and that this FRN be adjusted to a monthly amount of \$757.31 as intended.

Thank you for your consideration in this matter.

Sincerely,


Patrick Doyle

Computer Support Technician, E-Rate Services

Patrick Doyle
Erie 1 BOCES
355 Harlem Road
West Seneca, NY 14224

Billed Entity Number: 149384
Form 471 Application Number: 825021
Form 486 Application Number:



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2012-2013

August 09, 2013

Patrick Doyle
Erie 1 BOCES
355 Harlem Road
West Seneca, NY 14224

Re: Applicant Name: Erie 1 BOCES
Billed Entity Number: 149384
Form 471 Application Number: 825021
Funding Request Number(s): 2323358
Your Correspondence Dated: July 29, 2013

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2012 Funding Commitment Decision Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 2323358
Decision on Appeal: **Denied**
Explanation:

- A Form 471 Receipt Acknowledgment Letter (RAL) was sent to you on March 27, 2013. The RAL listed allowable clerical and ministerial error corrections to the Form 471 and indicated that corrections may be made until a Funding Commitment Decision Letter for this FCC Form 471 application is issued. The record indicates no such submittal was made. The rules of this support mechanism do not allow for an increase of a funding request subsequent to the Form 471 being committed for funding unless there was an error on the part of USAC. On appeal, you have failed to provide any evidence that USAC erred in its initial determination. Consequently, your appeal is denied.
- Your appeal requests additional funds that were not included in the FCC Form 471 that you are appealing. FCC rules require that funding requests must be

submitted via an FCC Form 471. *See* 47 C.F.R. sec. 54.504(a). Considerations for funding requests depend on the date the FCC Form 471 is received and the amount of funds available if it is received after the close of the filing window. *See* 47 C.F.R. sec. 54.507(g)(1)(i)-(v). The FCC directed USAC to allow applicants to amend their forms to correct clerical and ministerial errors on their FCC Forms 470, FCC Form 471 applications, or associated documentation until an FCDL is issued. Such errors include only the kinds of errors that a typist might make when entering data from one list to another, such as mistyping a number, using the wrong name or phone number, failing to enter an item from the source list onto the application, or making an arithmetic error. *See* In the Matter of Schools and Libraries Universal Service Support Mechanism, CC Docket No. 02-6, Order, FCC 11-60 para. 5 (rel. April 14, 2011).

- The FCC's Bishop Perry Order directed USAC "to provide all E-rate applicants with an opportunity to correct ministerial and clerical errors on their FCC Form 470 or FCC Form 471, and an additional opportunity to file the required certifications" without posting new FCC Forms 470 and 471. *See* Request for Review of the Decision of the Universal Service Administrator by Bishop Perry Middle School, et al., Schools and Libraries Universal Service Mechanism, File Nos. SLD-487170, et al., CC Docket No. 02-6, *Order*, 21 FCC Rcd 5316-5317, FCC 06-54 para. 23 (May 19, 2006) (Bishop Perry Order). As a result, USAC sends an applicant a Receipt Acknowledgement Letter (RAL) when the FCC Form 471 has been successfully data entered and provides the applicant with an opportunity to make allowable corrections to its FCC Form 471. *See* www.usac.org/sl.

Since your appeal was denied in full, dismissed or cancelled, you may file an appeal with the FCC. Your appeal must be postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found under the Reference Area/"Appeals" of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company

ERIE ONE BOCES
% NEWFANE CENTRAL SCHOOLS
355 HARLEM RD
WEST SENECA NY 14224-1892

Account Summary

Previous Charges	\$746.10
Adjustment(s) applied	- 746.10
Past Due Charges	\$.00

New Charges

Verizon (page 3)	\$757.31
Total New Charges Due December 14	\$757.31

Balances carried to the next bill may be assessed
a 1.5% late payment charge.

Total Due \$757.31

These monthly charges are for your service from
November 19 to December 18.

Change of address?

Go to verizon.com/billingaddress or call us.



Account: 716 778 8676 453 26 3

New Charges Due: 12/14/11

Total Due \$757.31 111911

Please do not pay

This account included in Summary Bill
212 X00-4931

ERIE ONE BOCES T07
% NEWFANE CENTRAL SCHOOLS
355 HARLEM RD
WEST SENECA NY 14224-1892



How to Reach Us

Billing questions	verizon.com/onlinehelp	1 800 698-7431	8:30am - 5pm M-T, 9am - 5pm Fri
Pay By Phone Service*	(third party fee applies)	1 800 345-6563	24 hours a day
Payment arrangements	verizon.com/onlinehelp	1 800 698-7431	24 hour account information
Repair	verizon.com/repair	Call free in NY: 890-7711	24 hours a day
To order services	verizon.com/storefront	1 800 698-7431	8:30am - 5pm M-T, 9am - 5pm Fri
Centro Hispano de Verizon	verizon.com/espanol	1 800 483-4522	8:30am - 5pm M-F
Preguntas de pagos	verizon.com/	1 800 281-6118	disponible las 24 horas
Online billing & payment	verizon.com/businessbillview		24 hours a day
Direct payment enrollment	verizon.com/businessbillpay	1 800 345-6563	24 hours a day



Summary of Verizon charges

Monthly service November 19 through December 18.....	\$634.60
Local calls	102.23
Itemized calls44
Directory information	20.04
Total	\$757.31

Monthly service

These charges are for November 19 through December 18.	\$475.10
Line charge ordered by the Federal Communications Commission	159.50
Total	\$634.60

Other charges and credits

	Per month	Amount
716 778-5439		
716-778-5439		
has a preferred carrier		
freeze on your regional toll		
service as of this bill date.		
716 778-7312		
716-778-7312		
has a preferred carrier		
freeze on your regional toll		
service as of this bill date.		
Other Charges and Credits Subtotal		.00
Total		\$.00

Local calls

area	Rates*								Amount
	Initial charge per call	Add'l min.	Day Calls	Add'l min.	Eve Calls	Add'l min.	Night Calls	Add'l min.	
A	8.25¢	1.76¢	1	0	0	0	0	0	\$.08
Total									\$.08

* The initial period of Local Call Areas A, B, C, and D is for the first 3 minutes of each call (or fraction thereof). The Itemized Calls detailed below are for your regional toll calls, which are calls placed outside your local area, but are not Long Distance calls. If you subscribe to a Calling Plan, those discounts will be applied to the appropriate rates detailed above and below.

Itemized calls

Directly dialed

No.	Date	Place called	Number called	Time	Rate	Min.	Amount
Calling number 716-778-8676							
1.	OCT 24	WILLIAMSVL NY	716 689-7512	9 08 AM	DAY	1	\$.11
2.	OCT 25	TONAWANDA NY	716 743-2300	9 32 AM	DAY	3	.32
Sub Total							.43

Customer Specific Pricing Plan - Summary

Revenue Per Additional Increment is calculated
by dividing the total additional increments
by the number of additional increments in a one

minute period and then multiplying by the rate
per additional increment.

Local Service

Line Number 716 778-8676

Local Voice Service

Initial Increment 6 Seconds

Additional Increment 6 Seconds

Initial Rate \$0.011 Per Minute

Additional Rate \$0.011 Per Minute

Total Initial Increments 4,209 \$5.01

Total Additional Increments 78,376 \$93.26

Sub Total \$98.27

Total CSP Local Service \$98.27

Total Non CSP Local Service \$0.08

Sub Total \$98.35

N.Y. State/MTA Surcharge \$3.88

Total Recurring and Local Service \$102.23

Total CSP Itemized Calls \$0.00

Total Non CSP Itemized Calls \$0.43

Sub Total \$0.43

N.Y. State/MTA Surcharge \$0.01

Total Itemized Calls \$0.44

Directory information

In state

12 requests at \$1.50 each \$18.00

National

1 request at \$1.50 each \$1.50

N.Y. State surcharge .54

Total \$20.04

Bankruptcy Information

If you are or were subject to a bankruptcy proceeding, this statement may include amounts for pre-bankruptcy service. Any such pre-bankruptcy balances are for your information only and you should not pay any pre-bankruptcy amounts. Please direct all correspondence concerning bankruptcy to 404 Brock Drive, Bloomington, IL 61701.

We've updated our Privacy Policy

To read the new policy and a summary of the changes we have made, please visit
www.verizon.com/privacy.

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